

AMENDED IN ASSEMBLY MARCH 29, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1409

Introduced by Assembly Member Baca

February 22, 2005

An act to *amend Section 60851 of, and to add Section 60851.2 to,* the Education Code, relating to academic assessment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1409, as amended, Baca. Academic assessment.

Existing law requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop a high school exit examination in English language arts and mathematics in accordance with state academic content standards. Existing law requires, commencing with the 2003–04 school year and each school year thereafter, each pupil completing grade 12 to successfully pass the exit examination as a condition of graduation from high school.

This bill would ~~exempt a pupil who receives~~ *permit a pupil to satisfy this requirement by achieving* passing scores on the English language arts and mathematics portions of the California Standards Tests, administered while the pupil is enrolled in high school, ~~from the exit examination requirement~~. This bill would require the State Board of Education to designate the passing scores on the California Standards Tests.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 60851 of the Education Code is
2 amended to read:

3 60851. (a) Commencing with the 2003–04 school year and
4 each school year thereafter, each pupil completing grade 12 shall
5 successfully pass the exit examination *or shall achieve passing*
6 *scores on the English language arts and mathematics portions of*
7 *the California Standards Tests pursuant to Section 60851.2* as a
8 condition of receiving a diploma of graduation or a condition of
9 graduation from high school. Funding for the administration of
10 the exit examination shall be provided for in the annual Budget
11 Act. The Superintendent of Public Instruction shall apportion
12 funds appropriated for this purpose to enable school districts to
13 meet the requirements of subdivisions (a), (b), (c), and (d). The
14 State Board of Education shall establish the amount of funding to
15 be apportioned per test administered, based on a review of the
16 cost per test.

17 (b) A pupil may take the high school exit examination in grade
18 9 in the 2000–01 school year only. Each pupil shall take the high
19 school exit examination in grade 10 beginning in the 2001–02
20 school year and may take the examination during each
21 subsequent administration, until each section of the examination
22 has been passed.

23 (c) At the parent or guardian’s request, a school principal shall
24 submit a request for a waiver of the requirement to successfully
25 pass the high school exit examination to the governing board of
26 the school district for a pupil with a disability who has taken the
27 high school exit examination with modifications that alter what
28 the test measures and has received the equivalent of a passing
29 score on one or both subject matter parts of the high school exit
30 examination. A governing board of a school district may waive
31 the requirement to successfully pass one or both subject matter
32 parts of the high school exit examination for a pupil with a
33 disability if the principal certifies to the governing board of the
34 school district that the pupil has all of the following:

35 (1) An individualized education program adopted pursuant to
36 the federal Individuals with Disabilities Education Act (20
37 U.S.C. 1400 et seq.) or a plan adopted pursuant to Section 504 of
38 the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)) in

1 place that requires the accommodations or modifications to be
2 provided to the pupil when taking the high school exit
3 examination.

4 (2) Sufficient high school level coursework either
5 satisfactorily completed or in progress in a high school level
6 curriculum sufficient to have attained the skills and knowledge
7 otherwise needed to pass the high school exit examination.

8 (3) An individual score report for the pupil showing that the
9 pupil has received the equivalent of a passing score on the high
10 school exit examination while using a modification that
11 fundamentally alters what the high school exit examination
12 measures as determined by the State Board of Education.

13 (d) The high school exit examination shall be offered in each
14 public school and state special school that provides instruction in
15 grades 10, 11, or 12, on the dates designated by the
16 Superintendent of Public Instruction. An exit examination may
17 not be administered on any date other than those designated by
18 the Superintendent of Public Instruction as examination days or
19 makeup days.

20 (e) The results of the high school exit examination shall be
21 provided to each pupil taking the examination within eight weeks
22 of the examination administration and in time for the pupil to
23 take any section of the examination not passed at the next
24 administration. A pupil shall take again only those parts of the
25 examination he or she has not previously passed and may not
26 retake any portion of the exam that he or she has previously
27 passed.

28 (f) Supplemental instruction shall be provided to any pupil
29 who does not demonstrate sufficient progress toward passing the
30 high school exit examination. To the extent that school districts
31 have aligned their curriculum with the state academic content
32 standards adopted by the State Board of Education, the
33 curriculum for supplemental instruction shall reflect those
34 standards and shall be designed to assist the pupils to succeed on
35 the high school exit examination. Nothing in this chapter shall be
36 construed to require the provision of supplemental services using
37 resources that are not regularly available to a school or school
38 district, including summer school instruction provided pursuant
39 to Section 37252. In no event shall any action taken as a result of
40 this subdivision cause or require reimbursement by the

1 Commission on State Mandates. Sufficient progress shall be
2 determined on the basis of either of the following:

3 (1) The results of the assessments administered pursuant to
4 Article 4 (commencing with Section 60640) of Chapter 5 of Part
5 33 and the minimum levels of proficiency recommended by the
6 State Board of Education pursuant to Section 60648.

7 (2) The pupils' grades and other indicators of academic
8 achievement designated by the district.

9 **SECTION 1.**

10 *SEC. 2.* Section 60851.2 is added to the Education Code, to
11 read:

12 60851.2. (a) ~~Notwithstanding Section 60851, a pupil who~~
13 ~~receives—~~*A pupil shall be deemed to have passed the exit*
14 *examination required in Section 60851 if he or she has achieved*
15 *passing scores on the English language arts and mathematics*
16 *portions of the California Standards Tests, administered while the*
17 *pupil is enrolled in high school, is exempt from the requirement*
18 ~~that the pupil pass the high school exit examination.~~

19 (b) The State Board of Education shall designate the passing
20 scores for purposes of subdivision (a).